

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA,

v.

CASE NO. 8:90-CR-132-T-17AAS

REGINALD L. McCOY.
_____ /

ORDER

This cause is before the Court on:

Dkt. 1112	Motion to Reduce Sentence Pursuant to the First Step Act of 2018 and Request for U.S. Probation Office to Issue Eligibility Memorandum
Dkt. 1113	Motion to Reduce Sentence Pursuant to the First Step Act of 2018 (<i>pro se</i>)
Dkt. 1115	Construed Motion to Reduce Sentence Pursuant to the First Step Act of 2018 (<i>pro se</i>)
Dkt. 1116	First Step Memorandum
Dkt. 1117	Notice of Appearance

Defendant Reginald L. McCoy, *pro se*, moves for a reduction of sentence pursuant to Section 404 of the First Step Act of 2018 and 18 U.S.C. Sec. 3582(c)(1)(B).

The Federal Defender's Officer has been appointed to represent Defendant McCoy. The Motion to Reduce Sentence (Dkt. 1112) indicates that after a First Step Memorandum is filed, Defendant McCoy will confer with the Government to determine whether the Government objects to or agrees with a reduction in Defendant McCoy's sentence pursuant to Section 404.

The Government has filed an appearance, but has not filed a response which explains the Government's position.

Because Defendant McCoy is represented by counsel, the Court will deny Defendant McCoy's Motions without prejudice.

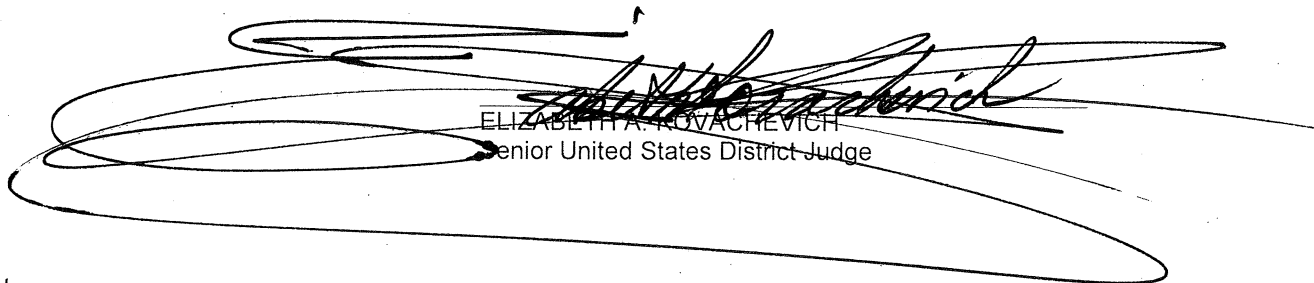
After consideration, the Court denies the Motion to Reduce Sentence as moot in part, as to the Request to Issue an Eligibility Memorandum, and denies the Motion to Reduce Sentence without prejudice in part, subject to filing a renewed

Motion which fully addresses the relief sought by Defendant McCoy. Accordingly, it is

ORDERED that Defendant Reginald L. McCoy's Motion to Reduce Sentence Pursuant to the First Step Act of 2018 and Request for U.S. Probation Office to Issue Eligibility Memorandum is **denied as moot in part** as to the Request to Issue an Eligibility Memorandum, and **denied without prejudice in part**, subject to the filing of a Renewed Motion to Reduce Sentence Pursuant to the First Step Act of 2018 which fully addresses the relief sought by Defendant McCoy. (Dkt. 1112). It is further

ORDERED that Defendant McCoy's *pro se* Motion to Reduce Sentence Pursuant to the First Step Act of 2018 (Dkt. 1113) is **denied without prejudice**, and Construed Motion to Reduce Sentence (Dkt. 1115) is **denied without prejudice**.

DONE and ORDERED in Chambers in Tampa, Florida on this 2nd day of December, 2019.



ELIZABETH A. KOVACHEVICH
Senior United States District Judge

Copies to:

All parties and counsel of record